(3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

WRIT PETITION NO. 156 OF 2004

PETITIONER :

1. Shri Kuljit Singh, S/o Late Pratap Singh, Age about 59 years, Proprietor of M/s Paras Products, Near Panchawati School, High Court Road, Distt.: Bilaspur (C.G.)

2. Smt. Charanjit Kaur, W/o Shri Kuljit Singh, Age about 48 years, R/o Near Panchawati School, High Court Road, Distt.: Bilaspur (C.G.)

P.R. No. 161/04
Present : Shri Rajesh Keshorwani
dated 15.01.04

VERSUS

RESPONDENTS :

(1) Union of India,
Through Secretary, Ministry of Law,
Shashtri Bhavan, R.P. Road,
New Delhi.

(2) State Bank of India, through it's Branch Manager, Bilaspur Main Branch, Tah. & Distt. – Bilaspur (C.G.).

(3) Regional Manager, State Bank of India, Regional Office, Shanker Nagar Raipur, Raipur (C.G.).

Received Copy
Shri Yadav
15-01-04
Clerk to
VINAY HARIT
Senior Central Government Standing Counsel
CHHATTISGARH HIGH COURT

15/01/04

WRIT PETITION U/A 226/227 OF THE CONSITITUTION OF INDIA FOR ISSUANCE OF A SUITABLE WRIT, ORDER OR DIRECTION

1. **Particulars of the petitioner:**

   As stated in the cause title

2. **Particulars of the Respondents:**

   As stated in the cause title

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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आदेश पत्रक

मामला क्रमांक W.P. 156 सन् 2004

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

DIVISION BENCH:

HON'BLE SHRI A.S.VENKATACHALA MOORTHY, CJ
& HON'BLE SHRI FAKHRUDDIN, J.

29/06/2004: -

Smt. Indira Tripathi, counsel for the petitioners.

Shri Vinay Harit, Sr. Standing Counsel for the Union of India, for respondent No.1.

Shri Prashant Mishra, counsel for the respondent No.2 and 3.

Following the decision of the Supreme Court in the matter of **Mardia Chemical Ltd. Vs. Union of India (2004 AIR SCW 2541)**, the writ petition stands dismissed.

However, it is made clear that where a secured creditor has taken action under Section 13(4) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 in such cases it would be open to borrowers to file appeals under Section 17 of the Act within the limitation as prescribed therefor, to be counted with effect from today.

Sd/-
Chief Justice

Sd/-
Fakhruddin
Judge

[पीछे देखिये